

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:12-CV-013-DCK**

JAMES L. STOCKNER,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
STARWOOD HOTELS & RESORTS)	
WORLDWIDE, INC. d/b/a SHERATON,)	
SHERATON WAIKKI HOTEL,)	
)	
Defendant.)	
)	

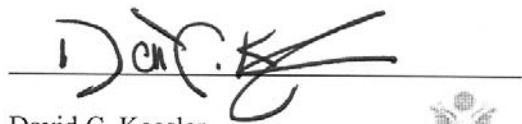
THIS MATTER IS BEFORE THE COURT *sua sponte* regarding scheduling. The parties have recently consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review of the status of this case is appropriate.

The undersigned observes that Defendant filed a “Motion to Dismiss and Motion to Transfer...” (Document No. 3) on February 7, 2012. To date, Plaintiff has failed to respond to that motion and the time to do so has lapsed. See Local Rule 7.1(E). Plaintiff’s response to the pending motion was due on or before February 24, 2012.

The Court respectfully advises Plaintiff that failure to respond to a dispositive motion may result in Defendant being granted the relief it seeks, that is, the dismissal of the lawsuit. In this instance, the Court will *sua sponte* allow Plaintiff a brief extension of time to file a brief in response.

IT IS THEREFORE ORDERED that Plaintiff shall file a response to the pending “Motion to Dismiss and Motion to Transfer...” (Document No. 3) on or before **March 8, 2012**. Failure to do so will likely lead to the dismissal of this lawsuit.

Signed: March 1, 2012



David C. Keesler
United States Magistrate Judge 